# Roswell mayor sues his city, council over personal property renovation

Roswell Mayor Jere Wood has been involved in lawsuits before, but this time he's suing his own city.

Wood filed a lawsuit in Fulton County Superior Court last month against the city and council members over whether he's allowed to renovate his property in the city's historic district.

Earlier this year, Wood sought approval from the city's Historic Preservation Commission to build a 1.5-story, 3,000-square-foot frame house on his property, located at the corner of Canton and Woodstock streets.

The commission approved Wood's plans in the spring but council members overturned that decision in late August.

Wood alleges in the lawsuit that council members acted improperly by deciding it had the legal authority to reverse the commission's earlier decision.

City officials do not comment on any open or pending litigation, a Roswell spokeswoman said Friday.

Canton Street is part of Roswell's historic hub and any construction in that corridor requires approval from the historic commission. This allows demolition, restorations or any other changes to a historic structure, as long as the changes do not disturb the area's overall character.

State historic preservation laws allow "limited authority" for the council members to "approve, modify and approve, or reject" the historic commission's final decision, but only if it's found that the commission abused its discretion.

Wood's lawsuit claims Roswell council members could not prove any abuse by the historic commission, and therefore, the initial building approval should have been upheld.

The mayor didn't want things to come to this, said his attorney **Richard Robbins**, but Wood has a right to sue the same as any other private citizen, he said.

"(Wood) is high on historic preservation … he wanted everything to be by the book on this," Robbins said.

It could be a few months before both parties reach a courtroom to present oral arguments, but Robbins said he hopes a resolution is reached before then.